HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION (W) NO. 462 OF 2006.
IN
WRIT PETITION NO. 5848 OF 1999.

Jayantilal K. Shah. ..Applicant.

Versus.

Mumbai Agricultural Produce Mkt Committee & Ors. ..Respondents.

Shri. S. S. Shah for the Applicant.

CORAM: S.B.MHASE &
D.G.KARNIK, JJ.

DATE : FEBRUARY 22, 2006.

P.C.

1. Learned counsel for the applicant submits that the notice has been served on all the respondent. He produces for our inspection office copy of the letter of service. The petitioner shall file affidavit of service within a period of one week from today.

2. None present for the respondents. For the reasons stated in the application we are satisfied that there was sufficient cause for the absence on the date fixed for hearing. Hence, civil application is allowed in terms of prayer clause (a).

3. This order shall, however, take effect only if the affidavit of service is filed within the period of one week, failing which the civil application shall stand dismissed without further reference to the Court.

(D.G.KARNIK,J.) **(S.B.MHASE, J.)**